

# MANDATE

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

N.Y.S.D. Case #

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 2<sup>nd</sup> day of September, two thousand and fifteen,

Michael Becker, Steven Becker, Steven Brown, Maureen Chaves, Robert Chaves, Charles Cohen, Linda Cohen, Jean Decastro, Rosalyn Densen, Francine Fogel, Stephen Fogel, Michael Gensberg, Zena Gensberg, Gloria Gottlieb, Jesse Gottlieb, Stephen Greenspan, Calla Gutter, Marvin Gutter, Elizabeth Hoffmann, David Jay, Britta Llewellyn, Jaret Llewellyn, LRM Investment Corp., Sheldon May, Edie Minkoff, Jeffrey Minkoff, Joshua Parker, Alvin Pock, 14-2001 Elinor Pock, Beatrice Robinson, Dr. Gary Rosenberg, Ronald Rubin, Janet Shavelson, Kenneth Shavelson, Marlene Sherman, Steve Sherman, Dr. Alan Sloodsky, Leslie Steckler, Robyn Barell, Antonio Varela, The VLT Family, Albert Anikstein, BMC Fund, Inc., Broyhill All-Weather Fund, L.P., Carrswold Partnership, William Charlton, William Charlton III, Dataman Group, Inc., Dale Filhaber, Edward Filhaber, Fourmin Associates, Karyl Marsigli as Executrix of the Estate of Adolfo Marsigli, Eduardo Marsigli, Mayfair Associates, Allen Meisels, John Paluska, Phoenix Lake Partners, L.P., Samuel Prizant, Roxy Management Corporation, Inc., SBM Investments L.L.P., Roger Schwab, Walter Schwab, Richard Skelly, Ed Trimas, Alan Bilgore, Darters Investments, LLP, Bonnie Fenster, Jamie Fenster, Kenneth Fenster, Larry Fenster, Dr. Stewart Gorenberg, Dr. Marvin Hans, Murray Hazan, Dr. Daniel Kase, Roslyn Kase, Steven Leffler, Anita Miller, Ira Miller, Jerome Miller, Allen Schanman, Susan Schanman, Alan Schefer, Debra Schefer, Harry Silverman, Soiefer Brothers Reality Corporation, Donald Yellin, Robert Cocchi, Penni Ellen Fromm, PEF Associates, Inc., Brian Gaines, John Johnson, Dr. David Schwartzwald, Rand Schwartzwald, Dr. Herbert Silverberg, John Silverberg, Dr. Jerry Weiss, Donna Weiss, The Norman Shulevitz Foundation, Inc., RM Management LLC, Sande Wische, Carol Wische, Paula Zitrin, Dr. Jaron Zitrin, Rachel Zitrin, Dr. Roger Zitrin, Spectrum Select II, L.P., Spectrum Equities, L.P.,

Plaintiffs-Respondents-Cross-Petitioners,

### ORDER

Docket Nos. 14-2001 (L), 14-2005, 14-2006, 14-2017, 14-2018, 14-2019, 14-2023, 14-2024, 14-2029, 14-2030, 14-2043, 14-2045, 14-2049, 14-2051, 14-2052, 14-2054, 14-2055, 14-2056, 14-2058, 14-2062, 14-2063, 14-2064, 14-2066, 14-2067, 14-2068, 14-2069, 14-2070, 14-2071, 14-2073, 14-2074, 14-2075, 14-2076, 14-2077, 14-2078, 14-2079, 14-2083, 14-2084, 14-2085, 14-2086, 14-2088, 14-2090, 14-2091.

**USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:** \_\_\_\_\_  
**DATE FILED:** 09/02/2015

**MANDATE ISSUED ON 09/02/2015**

v.

Tremont Group Holdings, Inc., Tremont Partners, Inc., Tremont  
Market Neutral Fund II, L.P., Tremont Opportunity Fund II, L.P.,  
Oppenheimer Acquisition Corp., Rye Select Broad Market Fund  
L.P., Rye Select Broad Market Prime Fund, L.P., Rye Select  
Broad Market XL Fund, L.P., MassMutual Holding Company,  
Massachusetts Mutual Life Insurance Company,

Defendants-Petitioners-Cross-Petition Respondents,

and

KPMG LLP,

Intervenor-Cross-Petitioner-Respondent.


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The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to FRAP 42.

The stipulation is hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit